

SENATE RECORD VOTE ANALYSIS

106th Congress
2nd Session

Vote No. 269

October 11, 2000, 5:00 p.m.
Page S-10228 Temp. Record

TRAFFICKING VICTIMS PROTECTION ACT/Conference, Passage

SUBJECT: Conference report to accompany the Victims of Trafficking and Violence Protection Act of 2000 . . . H.R. 3244. Agreeing to the report.

ACTION: CONFERENCE REPORT AGREED TO, 95-0

SYNOPSIS: The conference report to accompany H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000, will combat world-wide trafficking of people into prostitution, slavery, and slavery-like conditions. The conference report will also reauthorize and expand the Violence Against Women's Act, and will enact Aimee's law, the 21st Amendment Enforcement Act, and the Justice for Victims of Terrorism Act. Details are provided below.

- **Victims of Trafficking.** The State Department will be required to include in its annual Country Reports information on countries in which severe forms of trafficking in individuals exists. An interagency task force will be created to monitor and combat such trafficking. The United States will establish international initiatives to enhance economic opportunity for potential victims of trafficking as a method of protecting them, including by starting microlending programs, by encouraging children, especially girls, to stay in school, and by giving grants to accelerate and advance the political, economic, social, and educational roles and opportunities of women in their countries. Aid will be given to help victims of trafficking overseas and in the United States. In the United States, victims of extreme forms of trafficking (such as young children who are held as slave laborers or prepubescent girls who are forced to work as prostitutes) will be given certain assistance without regard to their immigration status. Such victims: will be given medical assistance; will not, to the extent practicable, be detained in facilities inappropriate to their status as crime victims; will receive necessary medical care; will not have their identities made public; and will be protected from further harm or recapture. Federal law enforcement officials will be permitted to allow an alien to remain in the United States for the purpose of pursuing charges against a trafficker. Aliens will not be eligible for admission to the United States if there is substantial reason to believe that they have committed severe forms of trafficking. Certain aliens who have been victims of severe forms of trafficking who would suffer extreme hardship if removed from the United States will be eligible for permanent residence status in the United States. Aid will be provided to countries to help them meet minimum standards for the elimination of trafficking, and most aid to countries that do not meet such standards and do not try to meet such standards will be denied. Certain legal actions will be taken against foreign individuals known

(See other side)

YEAS (95)				NAYS (0)		NOT VOTING (5)	
Republicans (52 or 100%)		Democrats (43 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (2)	Democrats (3)
Abraham	Hutchinson	Akaka	Kennedy			Helms ⁻²	Feinstein ⁻²
Allard	Hutchison	Baucus	Kerrey			Inhofe ^{-2AY}	Kerry ⁻²
Ashcroft	Jeffords	Bayh	Kohl				Lieberman ⁻²
Bennett	Kyl	Biden	Landrieu				
Bond	Lott	Bingaman	Lautenberg				
Brownback	Lugar	Boxer	Leahy				
Bunning	Mack	Breaux	Levin				
Burns	McCain	Bryan	Lincoln				
Campbell	McConnell	Byrd	Mikulski				
Chafee	Murkowski	Cleland	Miller				
Cochran	Nickles	Conrad	Moynihan				
Collins	Roberts	Daschle	Murray				
Craig	Roth	Dodd	Reed				
Crapo	Santorum	Dorgan	Reid				
DeWine	Sessions	Durbin	Robb				
Domenici	Shelby	Edwards	Rockefeller				
Enzi	Smith, Bob	Feingold	Sarbanes				
Fitzgerald	Smith, Gordon	Graham	Schumer				
Frist	Snowe	Harkin	Torricelli				
Gorton	Specter	Hollings	Wellstone				
Gramm	Stevens	Inouye	Wyden				
Grams	Thomas	Johnson					
Grassley	Thompson						
Gregg	Thurmond						
Hagel	Voinovich						
Hatch	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

to have played a significant role in trafficking in people in the United States, and prosecution and penalties for Americans who engage in such trafficking will be strengthened.

- **Violence Against Women Act Reauthorization.** The Act's key programs will be reauthorized, including: the STOP, Pro-Arrest, and campus grants programs; battered women's shelters programs; the National Domestic Violence Hotline; rape prevention and education grant programs; and three victims of child abuse programs, including the special advocate program. Improvements to the Act include the following: grants will be authorized for legal assistance for victims of domestic violence, stalking, and sexual assault; funding will be provided for transitional housing assistance; State and tribal courts will be helped in improving interstate enforcement of protection orders; improvements will be made to the computerized tracking of protection orders; protections for battered immigrant women will be strengthened; grants will be provided to create supervised visitation and safe visitation exchange of children between parents in situations involving domestic violence, child abuse, sexual assault, or stalking; and several key grant programs will be expanded to cover violence that arises in dating relationships.

- **Aimee's Law** (named for a young woman in Pennsylvania who was brutally raped and murdered by a convicted killer who had been released from prison early by another State). Under this law, if a convicted murderer, rapist, or child molester is released by a State, and if that felon then commits murder, rape, or child molestation in another State, then the Federal Government will withhold Federal law enforcement funds from the first State and increase Federal law enforcement funds for the second State in an amount equal to the second States' prosecution and imprisonment costs for that felon: if the first State's average sentence for murderers, rapists, and child molesters is lower than the national average; or if that felon served less than 85 percent of his or her sentence before being paroled. If a felon was given an indeterminate sentence (such as 5 years to 8 years), then the lower number will be used in determining whether 85 percent of the sentence was served. A State will have to apply on a case-by-case basis to receive this transfer of funds. If a State has its Federal funding for law enforcement reduced, it will have the option of designating the particular aid program or programs that will be reduced, except that it will not be permitted to reduce Federal law enforcement assistance for victims programs. The Justice Department will collect State-by-State recidivism data and will monitor the implementation of this new law (for debate, see vote No. 268; see also 106th Congress, 1st session, vote No. 129).

- **Justice for Victims of Terrorism Act.** The Act will limit the Administration's authority to waive court orders to liquidate foreign government assets under United States' control in order to pay court judgments that victims of terrorism have won against those governments. (A 1996 law gives victims of State-sponsored terrorism the right to sue terrorist countries and to have frozen assets of those governments sold to pay damage awards. The immediate purpose is to help victims of Cuban and Iranian terrorism. The Clinton/Gore Administration has invoked waiver after waiver to prevent Cuban and Iranian assets that are under United States control from being sold to compensate American victims of Cuban and Iranian terrorist attacks. Those waivers have continued even after an earlier tightening by Congress of the waiver authority.) The Act will also provide more immediate and effective assistance to Americans who are victims of terrorism abroad.

- **Twenty-First Amendment Enforcement Act.** This Act will provide an enforcement mechanism for the existing Federal law that prohibits the interstate shipment of alcohol in violation of State law. It will permit a State that has reasonable cause to believe that its alcohol importation or transportation laws are being violated to file suit in Federal court for an injunction to stop those illegal shipments. Preliminary injunctions will not be provided without proving irreparable injury and a probability of success on the merits. The Act will not affect lawful advertising. (For related debate, see 106th Congress, 1st session, vote No. 124.)

Those favoring passage contended:

We emphatically support all parts of this conference report. The first part addresses the heinous practice of slavery in all of the forms in which it exists around the world, including the United States, from child labor to debt bondage to enslavement for prostitution. Estimates of the number of people who are trapped in some form of slavery range as high as 200 million. Especially disturbing is that between 1 million to 2 million people, mostly young girls between 10 and 15 years old, are sold each year into sexual bondage. Punishment for slave traffickers is weak, both in this country and overseas. This bill will increase penalties in this country and will pressure other countries to do the same. It will also enact measures to protect people from being sold into slavery in the first place and to help victims who have been rescued recover. The next part of this bill will reenact the Violence Against Women Act and will make numerous improvements to its programs. The third part will enact Aimee's Law to hold States responsible when they release dangerous felons who then are convicted of murder, rape, or child molestation in other States. The fourth part will help American victims of terrorism recover damages from the countries responsible for the terrorist attacks. The fifth and final part will make the Federal law enforceable that prohibits the interstate shipment of alcohol in violation of State law. That last part, which passed the Senate in a different form previously, was originally opposed by some smaller wine producers because of a fear that it would put them at a competitive disadvantage, but they do not oppose the modified version. Overall, we are certain that most Senators strongly favor the provisions of this bill.

While favoring passage, some Senators expressed the following reservations.

Some of us have reservations regarding Aimee's Law; others of us have reservations regarding the alcohol provisions.

No arguments were expressed in opposition to passage.